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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
APR 19 2022
SEAN F. McAVOY, CLERK
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SPOKANE, WASHINGTON

9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

2:22-CR-45-TOR

INDICTMENT

12 Plaintiff,

Vio: 18 U.S.C. § 2115
Post Office Burglary
(Count 1)

13 v.

14 TANNER ANDREW SMITH and
15 CHELSEY ANN MURPHY,

18 U.S.C. § 1708
Theft of Mail
(Count 2)

16 Defendants.

18 U.S.C. § 1707
Theft of Property Used by the
Postal Service
(Count 3)

18 U.S.C. § 1704
Theft of Keys Adopted by the
Postal Service
(Count 4)

18 U.S.C. § 513(a)
Forged Security of a Private
Entity (Counts 5-7)

18 U.S.C. § 1708
Possession of Stolen Mail
(Count 8)

21 U.S.C. § 844(a)
Possession of
Methamphetamine
(Count 9)

18 U.S.C. §§ 922(g)(1), (3)
and 924(a)(2)
Felon and Unlawful User of a
Controlled Substance in
possession of a Firearm
(Count 10)

18 U.S.C. § 981(a)(1)(C), 21
U.S.C. § 853, 18 U.S.C.
§ 924(d), 28 U.S.C. § 2461(c)
Forfeiture Allegations

The Grand Jury Charges:

COUNT 1

On or about between December 24, 2021, and December 27, 2021, in the Eastern District of Washington, the Defendant, TANNER ANDREW SMITH, did forcibly break into the Orondo Post Office, located at 14003 U.S.-2, Orondo, Washington, with intent to commit a larceny in such post office, in violation of 18 U.S.C. § 2115.

COUNT 2

On or about between December 24, 2021, and December 27, 2021, in the Eastern District of Washington, the Defendant, TANNER ANDREW SMITH, did knowingly and unlawfully steal and take over 48 mails pieces from the United States mail, in violation of 18 U.S.C. § 1708.

COUNT 3

On or about between December 24, 2021, and December 27, 2021, in the Eastern District of Washington, the Defendant, TANNER ANDREW SMITH, did knowingly and unlawfully steal and convey away property used by the Postal Service, to wit: a Sony Passport Photo Camera, a Sony Passport Photo Printer, and Daily Financial Reports, in violation of 18 U.S.C. § 1707.

COUNT 4

On or about between December 24, 2021, and December 27, 2021, in the Eastern District of Washington, the Defendant, TANNER ANDREW SMITH, did knowingly and unlawfully steal a key adopted by the Postal Service and in use on an authorized receptacle for the deposit and delivery of mail matter, in violation of 18 U.S.C. § 1704.

COUNT 5

On or about the January 12, 2022, in the Eastern District of Washington, the Defendant, CHELSEY ANN MURPHY, did knowingly make, utter, and possess a forged security, to-wit: a check, of an organization which operates in and the activities of which affect interstate commerce, to-wit: Wells Fargo Bank, which check is more particularly described as follows:

Check Number	Dated	Account Holder	Account Number	Payee	Amount
1051	1-12-22	F.G.V.	XXXX 5719	Chelsey Murphy	\$550.00

all in violation of 18 U.S.C. § 513(a).

COUNT 6

On or about the January 14, 2022, in the Eastern District of Washington, the Defendant, CHELSEY ANN MURPHY, did knowingly make, utter, and possess a forged security, to-wit: a check, of an organization which operates in and the activities of which affect interstate commerce, to-wit: Wells Fargo Bank, which check is more particularly described as follows:

Check Number	Dated	Account Holder	Account Number	Payee	Amount
1057	1-14-22	F.G.V.	XXXX 5719	Chelsey Murphy	\$675.00

all in violation of 18 U.S.C. § 513(a).

COUNT 7

On or about the January 21, 2022, in the Eastern District of Washington, the Defendant, CHELSEY ANN MURPHY, did knowingly make, utter, and possess a forged security, to-wit: a check, of an organization which operates in and the activities of which affect interstate commerce, to-wit: Wells Fargo Bank, which check is more particularly described as follows:

Check Number	Dated	Account Holder	Account Number	Payee	Amount
1060	1-21-22	F.G.V.	XXXX 5719	Chelsey Murphy	\$865.00

all in violation of 18 U.S.C. § 513(a).

COUNT 8

On or about February 24, 2022, in the Eastern District of Washington, the Defendants, TANNER ANDREW SMITH and CHELSEY ANN MURPHY, did knowingly and unlawfully conceal and have in their possession approximately 48 mail pieces, which had been stolen and taken from the United States mail, knowing the said mail pieces to have been stolen and taken from the United States mail, in violation of 18 U.S.C. § 1708.

COUNT 9

On or about February 24, 2022, in the Eastern District of Washington, the Defendants, TANNER ANDREW SMITH and CHELSEY ANN MURPHY, did knowingly possess methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 844(a).

COUNT 10

On or about February 24, 2022, in the Eastern District of Washington, the Defendant, TANNER ANDREW SMITH, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he was an unlawful user of a controlled substance, to-wit: heroin and methamphetamine, did knowingly possess in and affecting commerce, firearms, to wit: a Tanfoglio, model EASA, .22LR caliber revolver (marked "MOD.EASA-F.T."), bearing Serial Number E14363; a Canik, model TP9SF, 9mm caliber pistol, bearing Serial Number T6472-17 AT 03594; and a Ruger, model LC9s, 9mm caliber pistol, bearing Serial

1 number 453-69109, which firearms had theretofore been transport in interstate and
2 foreign commerce, in violation of 18 U.S.C. §§ 922(g)(1), (3) and 924(a)(2).

3 NOTICE OF FORFEITURE ALLEGATIONS
4

5 The allegations contained in this Indictment are hereby re-alleged and
6 incorporated herein by this reference for the purpose of alleging forfeitures.

7 Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction
8 of an offense(s) in violation of 18 U.S.C. § 1708, as set forth in Counts 2 and 8 of this
9 Indictment, the Defendants, TANNER ANDREW SMITH (Counts 2 and 8) and
10 CHELSEY ANN MURPHY (Count 8), shall forfeit to the United States of America
11 any property, real or personal, which constitutes or is derived from proceeds traceable
12 to the offense(s), all pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).
13

14 If any of the property described above, as the result of any act or omission of
15 the Defendants:
16

- 17 (a) cannot be located upon the exercise of due diligence;
18 (b) has been transferred or sold to, or deposited with, a third party;
19 (c) has been placed beyond the jurisdiction of the court;
20 (d) has been substantially diminished in value; or
21 (e) has been commingled with other property which cannot be divided
22 without difficulty,
23

24 the United States shall be entitled to forfeiture of substitute property pursuant to 21
25 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. §
26 2461(c).
27

28 Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of
INDICTMENT - 6

1 21 U.S.C. § 844, as set forth in Count 9 of this Indictment, the Defendants, TANNER
2 ANDREW SMITH and CHELSEY ANN MURPHY shall forfeit to the United States of
3 America, any property constituting, or derived from, any proceeds obtained, directly or
4 indirectly, as the result of such offense and any property used or intended to be used, in
5 any manner or part, to commit or to facilitate the commission of the offense.
6

7 If any forfeitable property, as a result of any act or omission of the Defendants:

- 8
- 9 a. cannot be located upon the exercise of due diligence;
 - 10 b. has been transferred or sold to, or deposited with, a third party;
 - 11 c. has been placed beyond the jurisdiction of the court;
 - 12 d. has been substantially diminished in value; or
 - 13 e. has been commingled with other property which cannot be divided
14 without difficulty,

15 the United States of America shall be entitled to forfeiture of substitute property
16 pursuant to 21 U.S.C. § 853(p).

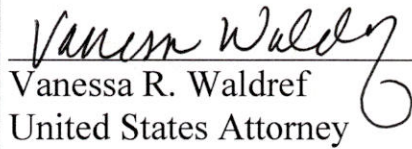
17 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction of
18 an offense in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), as set forth in Count 7 of
19 this Indictment, the Defendant, TANNER ANDREW SMITH, shall forfeit to the
20 United States of America, any firearms and ammunition involved or used in the
21 commission of the offense, including, but not limited to:
22

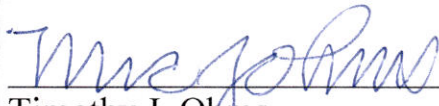
23 a Tanfoglio, model EASA, .22LR caliber revolver (marked "MOD.EASA-F.T.),
24 bearing Serial Number E14363;

25 a Canik, model TP9SF, 9mm caliber pistol, bearing Serial Number T6472-17
26 AT 03594; and
27
28

1 a Ruger, model LC9s, 9mm caliber pistol, bearing Serial number 453-69109

2 DATED this 19th day of April 2022.

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7 
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9 United States Attorney

10 
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12 Assistant United States Attorney